

### **EXECUTIVE SESSION**

**On May 17, 2017, at 4:34 p.m., Commissioner Williams made a motion to convene into an Executive Session to discuss economic Development in order to protect the interest of the applicant or the possible investment or expenditure of public funds to be made in connection with the Economic Development Project. Commissioner Shaw seconded the motion. The motion was unanimously approved.**

### **ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams and Shaw were present. Commissioners Joseph and Mims later joined the Executive Session.

### **RECONVENE**

**At 6:01 p.m., Commissioner Mims made a motion to reconvene from Executive Session and to continue with meeting. Commissioner Williams Second the motion. The motion was unanimously approved.**

### **ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw were present.

### **CITY COMMISSION MEETING**

On Wednesday, May 17, 2017, at 6:01 p.m., the Dayton City Commission met in regular session in the Commission Chambers of City Hall.

### **CALL TO ORDER**

Mayor Whaley called the meeting to order.

### **INVOCATION**

Commissioner Mims gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Whaley led the public in the Pledge of Allegiance.

### **ROLL CALL**

Roll call was taken and Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw were present. The Clerk of Commission, Ms. Rashella Lavender, and the City Manager, Ms. Shelley Dickstein, were also present.

### **APPROVAL OF MINUTES**

**Commissioner Williams made the motion to approve the minutes from the May 10, 2017, meeting. Commissioner Mims seconded the motion. The previous meeting minutes were unanimously approved.**

### **COMMUNICATIONS AND PETITIONS**

#### **Communication #21222**

Petition – Street vacation – Maple Lane from Wilkinson Street to Proctor Lane and Proctor Lane from Maple Lane to West Fifth Street.

### **SPECIAL AWARDS/PRESENTATIONS**

#### **Dayton Sister Cities**

Mayor Whaley invited Mr. Arch Grieve, Dayton Regional Stem School, to the podium to recognize students participating in the exchange program.

Mr. Grieve introduced students participating in the Dayton Regional STEM School's and INTERA Technology Park's international internship exchange program. He said an international exchange between the United States and Bosnia-Herzegovina focuses on entrepreneurship and international business and provides students a unique academic and cultural learning experience.

Mr. Grieve thanked Commissioner Joseph and family for hosting one of the students. He said in return he and student from the United States will travel to Bosnia to participate in the exchange program later this year.

The Dayton City Commission thanked Mr. Grieve for his work and participation in the program.

**Conscious Connect, Inc.**

Mayor Whaley invited Mr. Karlos Marshall, President and Co-Founder, and Mr. Moses Mbeseha, Vice President and Co-Founder, Conscious Connect, Inc., to the podium to give a community update.

Mr. Marshall said the Conscious Connect, Inc. is one of the nation’s leading nonprofits dedicated to school-age literacy, as the United States’ premiere grassroots organization, with the primary aim of ending urban book deserts.

Mr. Marshall said his group will be placing 10-20 books in barbershops and beauty salons in the Dayton area.

Mr. Marshall said for more information citizens may contact [www.theConsciousConnect.org](http://www.theConsciousConnect.org).

**Brain Tumor Awareness Month**

Mayor Whaley invited Ms. Billi Ewing, Brain Tumor Survivor, to the podium to give a community update.

Ms. Ewing shared her experience with a brain tumor and say May is Brain Tumor Awareness Month. She is asking the community to choose a day in May and wear Gray to bring awareness about this disease. She said her campaign kickoff is Saturday, May 20, 2017, at Cheeks Lounge.

The Clerk of Commissioner read a proclamation.

**World A’fair**

Mayor Whaley invited Mr. Wayne Gulden, Dayton International Festival Treasurer, to the podium to give a community update.

Mr. Gulden said this is the 44<sup>th</sup> year of showcasing and celebrating the different cultures that have made the Dayton area what it is today. He said the Dayton International Board is made up of 32 countries/ethnicities that take part in the event. Mr. Gulden said with a few exception, everyone connected with running the festival are volunteers.

Mr. Gulden said this year’s World A’fair will take place beginning Friday, May 19<sup>th</sup> at 5:00 p.m. and ending on Sunday, May 21<sup>st</sup> at 6:00 p.m. He said for more information, please visit [www.aworldafair.org](http://www.aworldafair.org).

**ADDITIONS OR DELETIONS TO THE CALENDAR**

There were no additions or deletions to the calendar.

**REPORTS:**

**A. Purchase Orders, Price Agreements and Contracts:**  
**(All contracts are valid until delivery is complete or through December 31<sup>st</sup> of the current year).**

**1. Purchase Orders:**

**AVIATION**

**A1. Jeffrey Hahn dba Groundscape Maintenance LLC** (grounds maintenance services as needed through 12-31-17) **\$130,000.00**

**CENTRAL SERVICES**

**B1. Sterling Paper Company** (paper, envelopes and related reproduction stock as needed through 12-31-17) **22,000.00**

**B2. Xerox Corporation** (lease agreement for reprographic equipment as needed through 12-31-17) **209,522.98**

**CIVIL SERVICE**

**C1. Prime AE Group, Inc.** (Upgrade OnBase document management system) **15,000.00**

**FIRE**

**D1. Trame Mechanical, Inc.** (heating, ventilation and air conditioning – HVAC – preventative maintenance and repair services as needed through 04-20-20) **60,000.00**

**D2. Wright State University** (Web-based continuing education services) **1,393.00**

1. (Cont'd)

**RECREATION & YOUTH SERVICES**

- E1. Crown Personnel Service, Inc.** (temporary staffing services as needed through 12-31-17) **\$10,000.00**
- E2. G & G Fitness Equipment, Inc.** (fitness equipment parts, maintenance and repair services as needed through 12-31-17) **9,000.00**

**WATER**

- F1. University of Dayton** (professional services to study the effects of storm water runoff and community outreach as needed through 12-31-18) **57,399.00**
  - F2. Associated Hydro Excavating, Inc.** (Biofilter media removal and replacement) **149,000.00**
  - F3. Tencarva Machinery Company dba Southern Sales** (Sulzer blowers, ABS pumps and mixers are required to maintain the Water Reclamation Plant through 12-31-19) **40,000.00**
  - F4. Brookville Heating & Air Conditioning** (heating, ventilation and air conditioning – HVAC – preventative maintenance and repair services as needed through 04-20-20) **75,000.00**
  - F5. Ohio Cat** (one Caterpillar brand track loader) **414,496.00**
  - F6. Pace Analytical Services, Inc.** (Analytical testing of perflourinated compounds – PFCs – in the monitoring wells as needed through 12-31-17) **15,000.00**  
-Depts. of Central Services, Civil Service, Fire, Recreation & Youth Services and Water. **Total: \$1,207,810.98**
2. **Briggs Creative Services, LLC – Service Agreement** – for the Belmont Park Bike Path, West Riverview Bike Ramp, Valley Street Realignment and the Springfield Street Reconstruction Phase 3 Agreement for Consulting Services – Dept. of Public Works/Civil Engineering. **\$43,838.00**  
**(Thru 12/31/21)**
3. **Federal Aviation Administration – Service Agreement** – for Non-Federal Limited Design and Implementation Reimbursable Agreement – Dept. of Aviation/AP Admin. & Finance. **\$26,446.01**  
**(Thru 12/31/19)**
4. **Messer Construction Co. – Service Agreement** – for the Construction Manager at Risk Pre-Construction Services Agreement – Dept. of Aviation/AP Admin. & Finance. **\$225,000.00**  
**(Thru 12/31/19)**

**B. Construction Contracts:**

- 5. **Associated Excavating, Inc. – Award of Contract** – for the Rubicon Street and Brown Street Storm Sewer Improvements (20% SBE Goal/80% SBE Achieved) – Dept. of Water/Water Engineering. **\$224,567.40**  
**(Thru 7/2018)**
- 6. **C. G. Construction & Utilities, Inc. – Award of Contract** – for the Burns Avenue Water Main Improvements (15% MBE & 10% WBE Goal/15.02% MBE & 10% WBE Achieved) – Dept. of Water/Water Engineering. **\$627,825.55**  
**(Thru 12/2018)**

**C. Revenue to the City:**

- 7. **Dayton Express Cab Co. – Service Agreement** – for Airport Taxicab Operating Agreement at the Dayton International Airport – Dept. of Aviation/AP Admin. & Finance. **\$120,000.00**  
**(Thru 5/31/20)**

**E. Other – Contributions, Etc.:**

**BY THE BOARD OF REVISION OF ASSESSMENTS**

8. In the Matter of Declaring the Intention of the Commission to Vacate the Right-of-Way in front of 3606 Lakeside Drive – Recommendation to Proceed.

**CITIZENS' COMMENTS ON CALENDAR ITEMS**

There were no citizens registered to speak on calendar items.

**DISCUSSION OF CALENDAR ITEMS**

**Calendar Item No. 5. – Associated Excavating, Inc. – Award of Contract and Calendar**

**Item No. 6. – C.G. Construction & Utilities, Inc. – Award of Contract**

The City Manager, Ms. Shelley Dickstein said these contracts are continuing examples of how the City of Dayton is a great steward of the storm water system.

**Calendar Item No. 7. – Dayton Express Cab Co. - Service Agreement**

The City Manager, Ms. Shelley Dickstein, said this agreement will address exciting changes at the Dayton International Airport and asked Mr. Terry Slaybaugh, Director of Aviation to the podium to provide more information.

Mr. Slaybaugh said this Agreement is a proposal to address customer service issues with the taxi service at the Dayton International Airport. He said this is a three year agreement with Dayton Express Cab Company to provide service which will exceed the current requirements.

**APPROVAL OF CITY MANAGER'S RECOMMENDATIONS**

Commissioner Joseph made the motion to approve the City Manager's Reports. Commissioner Shaw seconded the motion. The City Manager's Reports were approved with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw.

**LEGISLATION**

**EMERGENCY ORDINANCE – FIRST AND SECOND READING**

**Emergency Ordinance No. 31562-17-** Authorizing the Disposition of a 0.515 Acre Tract of Cooper Park to Dayton Metro Library and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The question being shall Emergency Ordinance No. 31562-17 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Ordinance was passed.

**EMERGENCY RESOLUTIONS – FIRST AND SECOND READING**

**Emergency Resolution No. 6254-17** - Ratifying the Acceptance of a Technology Grant Award from the Ohio Supreme Court in the Amount of Forty-Eight Thousand Four Hundred Eighty-Nine Dollars and Forty-Five Cents (\$48,489.45) and Declaring an Emergency.

Commissioner Shaw moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Joseph seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6254-17 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

**Emergency Resolution No. 6255-17** - Ratifying the Acceptance of a Technology Grant Award from the Ohio Supreme Court in the Amount of Fifty-Five Thousand Dollars and Zero Cents (\$55,000.00), and Declaring an Emergency.

Commissioner Williams moved that this being an emergency measure for the immediate consideration of the Resolution. Commissioner Mims seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The question being shall Emergency Resolution No. 6255-17 be adopted. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Resolution was adopted.

**ORDINANCE – FIRST READING**

**Ordinance No. 31563-17** - Vacating the Right-of-Way in Front of 3606 Lakeside Drive.

**BOARD APPOINTMENTS**

Commissioner Joseph moved to appoint Steven Kniffley, to fill the unexpired term of Michael White, to the Human Relations Council for a term ending August 31, 2018. Commissioner Shaw seconded the motion.

Commissioner Shaw moved to appoint Brian LaDuca, to fill the unexpired term of Dwayne Johnson, to the Human Relations Council for a term ending August 31, 2017. Commissioner Joseph seconded the motion.

**PUBLIC HEARING**

Mayor Whaley opened the Public Hearing on Plan Board Case Z-003-2017- regarding the rezoning of four sites within the Sinclair College downtown campus. She asked Ms. Ann Schenking, Plan Board Secretary, to the podium to present.

Ms. Schenking said this is Plan Board Case No. Z-003-2017, which will rezone four sites within the Sinclair College downtown campus to CI Campus Institutional Zoning. She said the zoning changes will allow the four sites to have the same zoning designation as the rest of the campus. Ms. Schenking said during the Plan Board public hearing there was unanimous support for this case with a 6-0 vote. She said this request is consistent with the City's comprehensive plan and the intent and purpose of the zoning code.

Ms. Schenking said the City Commission has three decision options, approve the Plan Board recommendation to amend the zoning map, deny the request by taking no action, or remand the case back to the Plan Board.

Mayor Whaley closed the hearing.

The pleasure of the City Commission is to move forward.

**THIS ITEM WAS ADDED**

**EMERGENCY ORDINANCE – FIRST AND SECOND READING**

**Emergency Ordinance No. 31564-17**- Amending the Official Zoning Map to Rezone 8.2 +/- Acres Located at the Southeast Corner of Edwin C. Moses and West Fourth Street from MR-5 to CI, 4.4 +/- Acres Located at the Northwest Corner of West Fifth and Wilkinson Streets from CBD to CI; Property Located at 212 West Fifth Street from CBD to CI; and 2.41 +/- Acres Located Southwest of the Railroad Overpass Over Longworth Street from UBD to CI; and Declaring an Emergency.

Commissioner Joseph moved that this being an emergency measure for the immediate consideration of the Ordinance. Commissioner Shaw seconded the motion. The motion was passed with a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Mims and Shaw. The question being shall Emergency Ordinance No. 31564-17 be passed. A roll call vote was taken resulting in a 5-0 vote. Voting in the affirmative were Mayor Whaley, Commissioners Williams, Joseph, Mims and Shaw. The Emergency Ordinance was passed.

**CITIZENS' COMMENTS**

Citizens' comments were received from the following:

1. **Ms. Linda Leas, 1118 Oakdale Drive** – spoke about an incident near 345 Middle Street.

**COMMENTS BY THE CITY MANAGER**

The City Manager, Ms. Shelley Dickstein, had no closing comments.

**COMMENTS BY THE CLERK OF COMMISSION**

The Clerk of Commission, Ms. Rashella Lavender, had no closing comments.

**COMMENTS BY CITY COMMISSION**

The City Commission had no closing comments.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:47 p.m.

\_\_\_\_\_  
**Mayor Nan Whaley**

Attest: \_\_\_\_\_  
**Clerk of Commission**